

# LICENSEE

News and Updates from the Virginia Department of Alcoholic Beverage Control, Fall 2009, vol. 15, no. 3

## Croc's Eco-Bistro Leading "Green" Movement in Virginia

FOR Laura Wood Habr, going green is a way of life. It's also how she conducts business.

Habr and her husband Kal Habr own Croc's 19th Street Bistro in Virginia Beach, the first restaurant certified as Virginia Green, a statewide program dedicated to reducing the environmental impacts of Virginia's tourism industry.

The Habrs have taken steps in all facets of the business to become more sustainable from making renovations to the building, implementing environmentally friendly procedures, to creating a menu with "green" food and drink options.

"It's the new way to do business," Laura Wood Habr said.

Renovations to the restaurant include installing:

- Engineered hardwood flooring incorporating farm-raised lumber veneers and man-made substrates;
- InterfaceFlor modular carpet of approximately 45 percent recycled material;
- Water-efficient toilets;
- Energy-efficient appliances;
- Freon-free coolers.

While Croc's is leading the green revolution among Virginia restaurants, Habr explains that it's not hard for any establishment to begin going green and saving green.

"It can be as simple as turning off the lights that are not being used and reducing waste," she said. "The steps we've taken have saved us money. In many cases the benefits are immediate."



Croc's 19th Street Bistro was the first restaurant in Virginia to be certified as Virginia Green.

One procedure that has paid immediate dividends for Croc's and the environment is the elimination of Styrofoam carry-out packages. All of the carry-out packaging is biodegradable. Habr is also thinking about some bigger changes such as making the 128-seat restaurant better insulated.

"The list is long," Habr said about the ideas she has for making her establishment even greener. "We are always thinking about the next thing we can do."

While Habr has a long list of projects she

*"It can be as simple as turning off the lights that are not being used and reducing waste.... The steps we've taken have saved us money. In many cases the benefits are immediate."*

*—Laura Wood Habr*

(continued on page 5)



# LICENSEE

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*Licensee* is a quarterly publication for licensees of the Virginia Department of Alcoholic Beverage Control (ABC).

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## Virginia ABC

Virginia ABC is online at [www.abc.virginia.gov](http://www.abc.virginia.gov).

Virginia ABC is . . .

- a public safety agency with law enforcement responsibilities.
- a major source of revenue for the Commonwealth.
- an efficient retail business.
- a provider of educational and prevention programs.
- an administrative hearing agency.



**VIRGINIA DEPARTMENT OF  
ALCOHOLIC BEVERAGE CONTROL**



**Governor  
Timothy M. Kaine**



## Message from Enforcement



*Francis J. Monahan,  
Director, ABC Bureau  
of Law Enforcement*

Through statistical reports and personal contacts we know the struggling economy is causing difficulty for many of you in the licensee community. We realize businesses are burdened; however, the Bureau's mandate to enforce ABC laws and regulations remains unchanged. It is enforcement's belief that during times like these it is even more important that we ensure all licensees are adhering to ABC laws and regulations. Ensuring this "level playing field" allows all licensees to compete in a fair, albeit stressed, market.

At ABC we do appreciate the important role licensees play in Virginia's economy. While we cannot institute an amnesty program for licensees strained by the current financial picture, we will redouble our efforts to foster compliance by helping you avoid violations.

Please take the time to read all the articles in this publication. (For your reference, prior newsletters are available online.) We believe having as much information as possible about the issues addressed here is invaluable.

We also encourage you to proactively assess your operations. If you are unclear about any ABC Enforcement requirement, please contact your special agent, regional office or my office for assistance. I encourage you to take advantage of our FREE RSVP or MART training classes (see p. 4 in this issue for details) and spend time on a regular basis on our Web site, especially the "Laws and Enforcement" and "Licensee Resources" areas.

*"If you are unclear about any ABC Enforcement requirement, please contact your special agent, regional office or my office for assistance. I encourage you to take advantage of our FREE RSVP or MART training classes (see p. 4 in this issue for details) and spend time on a regular basis on our Web site."*

*—Francis J. Monahan*

There is no substitute for a face-to-face, interactive classroom setting; however, Web-based training has major benefits in the areas of flexibility and convenience. It's available 24/7 and eliminates travel time and expense. We are considering a series of videos available through our Web site tackling topics including "What to Expect During an ABC Inspection" and checking IDs/avoiding underage sales. Additional information will be posted on our Web site as it becomes available.

While the economic forecast may currently be unpredictable, it is our intent at the Bureau of Law Enforcement to provide clear, reliable and most importantly, consistent information and practices to assist you in being ABC compliant.

### In the next issue of the *Licensee*:

- Licensee survey results and online customer satisfaction project update
- Fiscal Year 2009 Hearings and Appeals report with violation analysis
- In-depth compliance guide for avoiding the most common violations

# ABC Transfers Historical Records to the Library of Virginia

ABC recently transferred 50 years of early historical records to the Library of Virginia for archiving. Visitors to the library will be able to view original documentation of the agency's founding in 1934 and subsequent half century of operation, as well as an earlier collection of documents archiving Virginia Prohibition Commission history.

ABC Chair Susan R. Swecker, Commissioner Franklin D. Hall and Commissioner William J. Pantele presented the ABC volumes to Librarian of Virginia Sandra G. Treadway. "The library houses the most comprehensive collection of materials on Virginia government, history and culture available anywhere," said Treadway. "The collections illustrate the rich and varied past of the commonwealth, and we are delighted to add the ABC records to our collection."

"Presenting these records for public access and preservation is important," said Swecker. "The historical documents will be protected, and the public will have access to our ABC history and decision making."

"To me, the fascinating thing about the oldest books is the creation of the alcoholic

beverage control system in 1934. These folks came in here and had to set up stores, warehouse, staff and regulations in a very short period of time. We tweak the system all the time, but we have 75 years of experience to build on. The pioneers came in after about 15 years of Prohibition and created an efficient, profitable and safe system." ♦



ABC's first record books (shown here) were among the records transferred to the Library.



Present at the Library of Virginia ABC document transfer ceremony were (seated, left to right) Librarian of Virginia Sandra G. Treadway and ABC Chair Susan R. Swecker; (standing, left to right) State Archivist Conley L. Edwards, ABC Hearings and Appeals Director Robert S. O'Neal, ABC Commissioner William J. Pantele, ABC Chief Operating Officer W. Curtis Coleburn, ABC Commissioner Franklin P. Hall, and ABC Hearings and Appeals Chief Clerk Robert L. Scott. Photo by Pierre Courtois, Library of Virginia

## Swecker Becomes ABC Chair, Pantele Joins Board

SUSAN R. Swecker reassumed the ABC Chair position on July 31 and Gov. Timothy M. Kaine appointed William J. Pantele commissioner effective August 3. Swecker was appointed to the Board by Kaine in 2006 and served as Chair from April 1, 2007 to March 31, 2008 as the previous Board opted to rotate the Chair duties annually. She assumes the Chair following the departure of Esther H. Vassar, who accepted a position as the national ombudsman with the U.S. Small Business Administration.

Pantele, a native of Richmond, is a graduate of Hampden-Sydney College and the University of Virginia School of Law. A member of the Virginia State Bar, he most recently served on the Richmond City Council representing the 2nd District, and in 2007, was elected council president by his colleagues. A champion of regional cooperation and strategic planning, Pantele held leadership roles on the Richmond Regional Planning District Commission and Metropolitan Planning Organization. As an attorney, he built a law practice representing small businesses. Pantele has served in many civic and community leadership positions, including president of Venture Richmond, and a member of the boards of the Virginia Performing Arts Foundation, the Byrd Theatre Foundation and Scenic Virginia. ♦

## ABC ENFORCEMENT CRIMELINE

To report a crime relating to any ABC laws, please call the ABC Enforcement CRIMELINE at (866) 437-3155. You may also visit the ABC Web site, [www.abc.virginia.gov](http://www.abc.virginia.gov), and use the "Violation Complaint Form," available on the home page and under the "Laws and Enforcement" section. We welcome your involvement with ABC's efforts to maintain public safety while providing public service to Virginians.

[www.abc.virginia.gov](http://www.abc.virginia.gov)

# Fall 2009 RSVP & MART Training—Register Today!

## Raise Your Phone for ABC Alerts



These participants in a summer 2009 RSVP class showed their enthusiasm for ABC's plan to answer questions and post alerts on various social media sites. Below are a few questions Special Agent Thomas Pond (second from right) fielded during the class.

**Q: Is it OK to allow patrons to carry their drinks into the restroom?**

**A:** No. The restroom is not a "designated area under the control of the licensee and approved by the Board." (3 VAC 5-50-110)

**Q: Is it OK to sell pitchers of margaritas?**

**A:** No. It's a violation to sell pitchers of mixed beverages (a drink composed in whole or in part of distilled spirits) with the exception of sangria. Sangria is defined as a drink consisting of red or white wine mixed with some combination of sweeteners, fruit, fruit juice, soda or soda water that may also be mixed with brandy, triple sec or other similar spirits.

**Q: What about pitchers of mimosas? What are the rules about wine by the carafe?**

**A:** Pitchers of mimosas are allowed because champagne is a sparkling wine not a distilled spirit. Wine may be dispensed in a carafe or decanter as long as it does not exceed 52 fluid ounces.

**Q: Sometimes, employees are encouraged to taste wine or other alcoholic beverages so they can share their product knowledge with diners. How can this be handled?**

**A:** Sections 4.1-325 and 4.1-325.2 of the Code of Virginia prohibit retail licensees or their agents or employees from consuming alcoholic beverages "while on duty and in a position that is involved in the selling or serving of alcoholic beverages to customers." Tastings by employees should be conducted at a time when the employees are not involved in selling or serving to customers, such as before or after a shift, or during break times.

## 2009 MART & RSVP Fall Schedule

### September (RSVP)

**9/8, Charlottesville**  
Va. Dept. of Forestry,  
Fontaine Research Park,  
900 Natural Resource Dr.,  
Suite 800 (first floor),  
9 a.m.–12 p.m.

**9/9, Lynchburg**  
Lynchburg Regional ABC  
Office, 20353-A Timberlake  
Rd., 9 a.m.–12 p.m.

**9/16, Chesapeake**  
Chesapeake Regional ABC  
Office, 1103 South Military  
Hwy., (two sessions)  
9 a.m.–12 p.m. &  
1 p.m.–4 p.m.

**9/16, Hampton**  
Old Dominion University /  
Peninsula Higher Education  
Center, 600 Butler Farm Rd.,  
9 a.m.–12 p.m.

**9/16, Richmond**  
Brown Distributing,  
7986 Villa Park Dr.,  
(two sessions) 9 a.m.–  
12 p.m. & 1 p.m.–4 p.m.

**9/17, Abingdon**  
Southwest Virginia Higher  
Education Center,  
One Partnership Circle,  
9 a.m.–1 p.m.

**9/23, Farmville**  
South Street Conference  
Bldg., 124 South St.,  
1 p.m.–4 p.m.

**9/30, Alexandria**  
Alexandria Regional ABC  
Office (Fairfax County),  
6308 Grovedale Dr., (two  
sessions) 9 a.m.–12 p.m. &  
1 p.m.–4 p.m.

### October (MART)

**10/8, Verona**  
Augusta County  
Government Center,  
Smith West Board Room,  
9 a.m.–3 p.m.

**10/14, Chesapeake**  
Chesapeake Regional ABC  
Office, 1103 South Military  
Hwy., 9 a.m.–3 p.m.

**10/14, Lynchburg**  
Lynchburg Regional ABC  
Office, 20353-A Timberlake  
Rd., 9 a.m.–3 p.m.

**10/14, Richmond**  
Brown Distributing,  
7986 Villa Park Dr.,  
10 a.m.–4 p.m.

**10/20, Roanoke**  
Roanoke Regional ABC  
Office, 2943-D Peters Creek  
Rd., 9 a.m.–3 p.m.

**10/21, Hampton**  
Old Dominion University /  
Peninsula Higher Education  
Center, 600 Butler Farm Rd.,  
10 a.m.–4 p.m.

**10/28, Alexandria**  
Alexandria Regional ABC  
Office (Fairfax County),  
6308 Grovedale Dr.,  
10 a.m.–4 p.m.

**10/28, Richmond**  
Brown Distributing,  
7986 Villa Park Dr.,  
10 a.m.–4 p.m.

### November (RSVP)

**11/5, Winchester**  
Winchester Moose Lodge,  
215 East Cork Street,  
9 a.m.–12 p.m.

**11/17, Roanoke**  
Roanoke Regional ABC  
Office, 2943-D Peters Creek  
Rd., 9 a.m.–12 p.m.

**11/18, Chesapeake**  
Chesapeake Regional ABC  
Office, 1103 South Military  
Hwy., (two sessions)  
9 a.m.–12 p.m. &  
1 p.m.–4 p.m.

**11/18, Hampton**  
Old Dominion University /  
Peninsula Higher Education  
Center, 600 Butler Farm  
Rd., 9 a.m.–12 p.m.

**11/18, Richmond**  
Brown Distributing,  
7986 Villa Park Dr.,  
(two sessions) 9 a.m.–  
12 p.m. & 1 p.m.–4 p.m.

**[TBA], Danville**  
(See ABC Web site for loca-  
tion, date and time.)

### December (RSVP)

**12/2, Alexandria**  
Alexandria Regional ABC  
Office (Fairfax County),  
6308 Grovedale Dr., (two  
sessions) 9 a.m.–12 p.m. &  
1 p.m.–4 p.m.

Register online and receive automatic e-mail confirmation and directions or parking instructions to the training site. For more information, contact VA ABC Education: Phone: (804) 213-4688 / E-mail: education@abc.virginia.gov

[www.abc.virginia.gov](http://www.abc.virginia.gov)



would like to undertake, customers are paying attention to what the Habrs have already accomplished. Kal Habr said they have had people who came to the restaurant while on vacation because they've heard about their environmental efforts from as far away as Canada.

The menu is also green, not just because it offers vegetables and salads with its entrees. Croc's markets itself as an eco-bistro by offering a mix of authentic Lebanese cuisine and traditional favorites using local, sustainable produce and seafood and using organic ingredients. The drink selection includes organic coffee and tea and customers 21 years and older may choose to order organic vodka, gin or beer. The drink list also includes Virginia-made beer and wine. Buying food and drinks manufactured in-state cuts down on the gas used to ship products, Laura Wood Habr explained.

Habr's affiliation with green organizations is almost as long as Croc's list of organic martinis.

Habr, a member of the Virginia Beach Restaurant Association (VBRA), promoted the idea to fellow restaurateurs about creating a Green Team to make Virginia Beach a certified Green Destination through a partnership among 20 restaurants, 16 hotels, a convention center, and others. Gov. Timothy M. Kaine presented Habr, on



Gov. Timothy M. Kaine awards the Virginia Beach Green Team (VBGT) with the Commending Resolution from the General Assembly in July 2008, proclaiming the city to be Virginia's first green destination. Shown here (left to right): Del. Joe Bouchard, former Virginia Beach mayor Meyera Oberndorf, VBGT Leader Laura Wood Habr and Kaine.

behalf of the Virginia Beach Green Team, with a Commending Resolution from the General Assembly for their grassroots efforts.

Sysco Foods of Hampton Roads also partnered with Virginia Green, providing restaurants with biodegradable takeout wares and offering healthier products to its clients. Today Virginia Beach has nearly 100 certified Virginia Green members.

Habr also started Virginia Beach Green Drinks (VBGD) in 2007, a branch of an international association of people who encourage environmental awareness. VBGD holds monthly gatherings to promote sustainable philosophies among Hampton Roads residents.

Earlier this year, ABC joined with Virginia Green to promote environmental awareness among licensees. Virginia Green



Kal and Laura with Virginia Green certificate presented by Virginia Green program director, Tom Griffen, August 2007.

## National Restaurant Association's 10 Tips to Sustainability

- Turn off lights when not in use.
- Fix leaks.
- Replace incandescent lighting with CFL light bulbs or LED lights.
- Reduce, reuse, recycle.
- Unplug electronics when not in use.
- Use less water.
- Train and inform employees on energy and water conservation. Tell customers about your energy efforts.
- Clean and maintain equipment.
- When remodeling or building go green by using recycled flooring, reflective roof, sun lights and energy-efficient windows.
- Look for the Energy Star Label when purchasing equipment such as appliances and electronics.

(continued on page 6)

[www.abc.virginia.gov](http://www.abc.virginia.gov)

To learn how to become a certified Virginia Green member, visit <http://www.deq.virginia.gov/p2/virginiagreen/restaurants.html>  
The Virginia Green Restaurant Application is now online!

operates as a partnership between the Virginia Department of Environmental Quality (DEQ), the Virginia Tourism Corporation and the Virginia Hospitality and Tourism Association.

*"We believe many of our licensees can benefit from implementing and increasing recycling and energy conservation programs. We look forward to working with the licensee community to boost green efforts."*

—ABC Chair Susan R. Swecker

"ABC's green initiative has made the agency more fiscally responsible while reducing our impact on the environment," ABC Chair Susan R. Swecker said. "We believe many of our licensees can benefit from implementing and increasing recycling and energy conservation programs. We look forward to working with the licensee community to boost green efforts." ♦

—Philip Bogenberger

## What does it take to be a Virginia Green restaurant?

Restaurants are an integral part of Virginia's tourism industry, and they are certainly the most numerous sector of Virginia tourism! As such, Virginia Green Restaurants have the opportunity to have a significant impact on people's daily lives and how they think about the environment. To become a Virginia Green restaurant, facilities must (at a minimum) commit to the following:

- Minimize the use of disposable food service products.
- Recycle grease.
- Recycle and reduce waste.
- Use water efficiently.
- Conserve energy.

—from DEQ's Virginia Green Web site

## Smoking Ban Signed At Croc's

ON March 9, 2009, Gov. Timothy M. Kaine headed to Virginia Beach. He was not on vacation though, rather, he was attending to some business at Croc's 19th Street Bistro.

Kaine chose the eco-bistro as the location to sign legislation that will prohibit smoking in restaurants after Dec. 1, unless establishments meet certain requirements (more info: [www.vdh.virginia.gov](http://www.vdh.virginia.gov)) because Croc's implemented a self-imposed smoking ban two years ago. The purpose of the smoking-ban law is to protect employees and patrons from the harmful effects of secondhand smoke.

Croc's co-owner Laura Wood Habr said some of the customers left at first when Croc's went smoke-free, but most of the regulars returned because of the entertainment and the food. She added that many customers, smokers and non-smokers appreciate the smoke-free atmosphere indoors. Croc's has an outdoor patio if customers choose to light up. ♦

## Free Training Classes Available from ABC

HAVE you been meaning to attend a Managers' Alcohol Responsibility Training (MART) class or send employees to a Responsible Sellers and Servers: Virginia's Program (RSVP) class?

Investing in employee training will provide a dual benefit by safeguarding your business AND community. This is a rare opportunity to spend three to six hours with an ABC special agent in an open forum. Attendees are encouraged to ask questions and classes are an excellent opportunity for networking with others in the industry.

Brochures with MART and RSVP schedules are mailed to licensees periodically; however, you can always check the current class listings and register online via ABC's Web site. ♦

### Sign Up Today!

See the Fall 2009 listings for RSVP and MART classes on page 4 of this issue. Registration is ongoing.

## Couple Pleads to Perjury and Obstruction of Justice for False Statements at ABC Hearing

ON August 17, 2009, in the Campbell County Circuit Court, a former licensee and her husband pleaded guilty to criminal charges stemming from false statements they made under oath at an ABC administrative hearing held in Lynchburg on July 28, 2008.

At the ABC hearing, the couple falsely testified in response to a charge that the licensee (the wife) had knowingly employed a person (the husband) who had been convicted of a felony. The ABC special agent assigned to the territory had addressed this issue with the couple prior to issuance of the license. During a tobacco underage buyer visit on March 26, 2008, the agent observed the husband working at the cash register in the convenience store. On July 25, 2009 the agent conducted an observation at the establishment. During this observation, an undercover police officer purchased alcohol from the husband, who was working the register at the time of the sale.

After the ABC hearing and subsequent interviews, the special agent reviewed the evidence with Assistant Commonwealth Attorney Paul McAndrews. On March 2, 2009 the agent presented the evidence to the Campbell County Grand Jury, who then indicted the husband and wife on one count each of perjury.

According to the Conviction and Sentencing Order, the wife pleaded guilty to Obstruction of Justice (a misdemeanor) and was sentenced to 12 months in jail, which was suspended; good behavior for 12 months, a \$1,000 fine and court costs. The husband pleaded guilty to Perjury (a felony). He was sentenced to 12 months in jail, which was suspended; a \$1,000 fine, good behavior for 24 months, and court costs. ♦

# Ask 4 ID

Ask "How old R U?"

Ask "R U 21?"      Ask "R U 18?"

21 for alcohol

18 for tobacco

## Virginia's Underage Documents



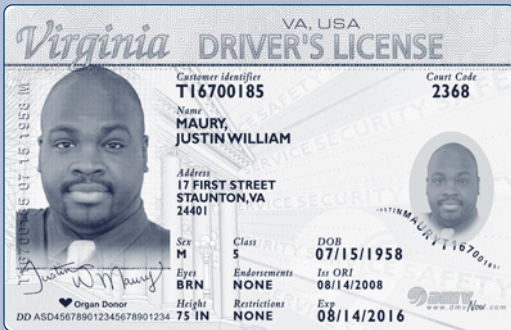
# Get It Right Every Time



Watch the four-minute Ask4ID training video at [www.youtube.com/vaabc](http://www.youtube.com/vaabc) and order posters and stickers by contacting ABC Education at [education@abc.virginia.gov](mailto:education@abc.virginia.gov) or (804) 213-4688. Through August, the training video had less than 1,000 views on YouTube. Please show your support for public safety and employee training by viewing this video with your staff. We'd like to, at least, quadruple our views during the next few months.

## New Virginia Driver's Licenses

All 74 Virginia Department of Motor Vehicles (DMV) locations statewide are using a new issuance process and all applicants for driver's license and ID cards will receive newly designed cards. Virginia credentials are valid for five to eight years. As a result, retailers will continue to see two Virginia card formats for at least eight years. The new cards incorporate a number of new security features. Cards for individuals age 21 and over bear an image of the Virginia state capitol building; cards for individuals under 21 bear images of the state flower, the dogwood, and show the dates that the individual turns 18 and 21, to assist retailers in curbing the illegal sale of tobacco and alcohol to minors.



For more information,  
visit [www.dmvNOW.com](http://www.dmvNOW.com)

## ALCOHOLIC ENERGY DRINKS



The Alcoholic Energy Drink poster is still available for licensees. To order copies, please call ABC Education at (804) 213-4688 or visit [www.abc.virginia.gov](http://www.abc.virginia.gov).



75th ANNIVERSARY ♦ 1934–2009  
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